

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID S. PERRYMAN,

Petitioner,

v.

KEN CLARK, Warden,¹

Respondent.

Case No. [19-cv-03804-YGR](#) (PR)

**ORDER GRANTING PETITIONER'S
REQUEST FOR AN EXTENSION OF
TIME TO FILE A COMPLETE *IN
FORMA PAUPERIS* APPLICATION OR
TO PAY FILING FEE**

On June 28, 2019, Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Dkt. 1. Petitioner also submitted to the Court an incomplete *in forma pauperis* ("IFP") application. Dkt. 2. He filled out the IFP application form, but he failed to provide his Certificate of Funds and six-month prisoner trust account statement.

On that same date, the Clerk of the Court sent a notification to Petitioner informing him that he had not paid the filing fee and that the IFP application he submitted was deficient because he failed to attach his Certificate of Funds and six-month prisoner trust account statement. Dkt. 3. He was warned that the failure to pay the fee or correct the aforementioned deficiency relating to his IFP application within the twenty-eight-days would result in the dismissal of this action without prejudice.

On July 31, 2019, Petitioner filed a request for an extension of time to provide his Certificate of Funds and six-month prisoner trust account statement. Dkt. 5. Petitioner has since

¹ Ken Clark, the current warden of the institution where Petitioner is being housed, has been substituted as Respondent pursuant to Rule 25(d) of the Federal Rules of Civil Procedure.

1 filed his Certificate of Funds. Dkt. 7.

2 IT IS HEREBY ORDERED that the request for an extension of time to file a completed
3 IFP application or pay the requisite \$5.00 filing fee is GRANTED. Dkt. 5. No later than **twenty-**
4 **eight (28) days** from the date of this Order, Petitioner shall either pay the requisite \$5.00 filing fee
5 or submit his six-month prisoner trust account statement. **The failure to do so on or by the**
6 **twenty-eight-day deadline will result in the dismissal of this action without prejudice.**

7 The Clerk shall send Petitioner a blank prisoner IFP application form along with a copy of
8 this Order.

9 This Order terminates Docket No. 5.

10 IT IS SO ORDERED.

11 Dated: August 15, 2019

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13 YVONNE GONZALEZ ROGERS
14 United States District Judge
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